

Robert M. Swayze
Executive Sales Director

July 8, 2006

Federal Trade Commission/Office of the Secretary
Room H-135 (Annex W)
Re: Business Opportunity Rule, R511993
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Sir or Madam:

I am writing this letter because I am extremely concerned about the proposed Business Opportunity Rule R5119993. I believe in its present form, it could prevent me from continuing as an Independent Business Owner in AmeriplanUSA, which is a Direct Selling Company. I realize and understand that part of the FTC's responsibilities is to protect the public from unfair and deceptive acts or practices, but some of the sections in the proposed rule will make it very difficult if not impossible for me to sell the Health Benefits and the business opportunity that my company offers and which we have the highest ratings achievable from the Better Business Bureau, Dunn and Bradstreet, and the US Chamber of Commerce.

One of the main oppositions to this proposed bill is the most confusing and burdensome sections is the seven day waiting period to enroll new business partners. Ameriplan's sales kit only costs \$95.00. People buy TV's, cars, and other items that cost substantially more than our costs and they don't have to wait seven days. This waiting period gives the impression that there might be something wrong with the plan. With our plan if the individual decides that they are not interested in the business they can change their mind within the first 24 hours or 1 business day, how many TV's or cars can you return within 1 business day just because you changed your mind? I also think this seven-day waiting period is unnecessary, because AmeriplanUSA already has a 90% buyback policy for all products including dales kits purchased by an Independent Business Owner (IBO) within the last twelve months. Under this waiting period requirement, I will need to keep very detailed records when I first speak to someone about AmeriplanUSA and will then have to send in many reports to AmeriplanUSA headquarters, which will incur more costs to all, and then there will have to be added storage facilities. Not to mention the cost of just collecting the information.

Another objection to the proposed rule is the call for the release of any information regarding lawsuits involving misrepresentation, or unfair or deceptive practices. It does not matter if the company was found innocent. In this day and age anyone, or any company can be sued for almost anything. It does not make sense to be that I would have to disclose these lawsuits unless AmeriplanUSA is found guilty. Otherwise, AmeriplanUSA and I are put at an unfair advantage even though AmeriplanUSA has

done nothing wrong. Would you ask that all Doctors have a list of all lawsuits for malpractice listed on their door whether or not they were found innocent or guilty?

Finally, the proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. I am more than happy to provide references, and we have several testimonials listed on all of our websites from actual purchasers. The objection I have is that in this day and age of identity theft, I am very uncomfortable of giving out the personal information of individuals (without their approval) to strangers. Also, giving away this information could damage the business relationship of the references that may be involved in other companies or businesses including those of competitors. In order to get the list of the 10 prior purchasers, I will need to send the address of the prospective purchaser to AmeriplanUSA headquarters and then wait for the list. I also think the following sentence required by the proposed rule will prevent many people from wanting to sign up as a salesperson, IBO, or you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers. People are very concerned about their privacy and identity theft. They will be reluctant to share their personal information with individuals they may have never met.

I have been an AmeriplanUSA Executive Sales Director for about a year now and worked my way up to that level. Originally, I became an IBO with AmeriplanUSA because I like the products and use them, I also saw the value and need for our Health Benefits, especially since the Health Care market currently is so unpredictable and becoming more and more expensive. I also wanted to make some additional money. Now my family depends on this extra income to supplement our budget. Not to mention how this extra income has helped me to make a better life for my family, which includes paying taxes in my local community and other areas of the USA since we have been able to take a family vacation for the first since my children were born!

In conclusion I appreciate the work of the FTC to protect consumers, but I believe this proposed new rule has many unintended consequences and that there are less burdensome alternatives available in achieving its goals.

Thank you for your time in considering my comments.

Sincerely,

Robert M. Swayze